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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,006	03/29/2001	Yoshiaki Komatsu	108630	4080
25944	7590	08/23/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER VAUGHN, GREGORY J	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/820,006	Applicant(s) KOMATSU, YOSHIKI	
	Examiner Gregory J. Vaughn	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3/29/01</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
|---|--|

DETAILED ACTION

Application History

1. This action is responsive to the application filing, Application filed on 3/29/2001.
2. Claims 1-23 are pending in the case, claims 1, 5, 12 and 23 are independent claims.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) to Japanese patent application 2000-177209, filed 6/13/2000

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following figures or reference sign(s) mentioned in the description:

- "FIG. 4" on page 8, line 21.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- "S55" in Figure 8.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities:
- The disclosure recites: “*input body 102*” (page 7, line 28). Reference sign 102 in Figure 1 is directed toward “*input board*”
 - The disclosure recites: “*terminating the playback operation at step S54*” (page 14, line 22). Reference sign S54 in Figure 8 is directed toward a decision step for “*playback end time?*”
 - The disclosure recites those reference signs listed in paragraph 4 above, which are not shown in the drawings.
 - The disclosure fails to disclose those reference signs listed in paragraph 5 above, which are shown in the drawings.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."

8. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Moran et al. US Patent 5,717,879, filed 11/3/1995, patented 2/10/1998 (hereinafter Moran).
9. **Regarding independent claim 1**, Moran discloses a sound data-storing device in Figure 1 at reference sign 103 (shown "Session Storing Device"), which receives audio signals from the "Capture Device" (reference sign 102A). Moran defines the capture device as: *"Capture Devices are devices which capture and store temporal data. Different types of capture devices will capture different media (e.g. audio, video or writing on a whiteboard) of a session"* (column 6, lines 35-38). Moran discloses the association of the sound data to time data in Figure 11 at reference sign 1111, where the input time is shown at reference sign 1106.

Moran discloses a writing information-inputting device in Figure 16 at reference sign 1601. Moran further recites: *"primitive operations performed and each primitive operation is time stamped and associated with an object. The object is typically defined spatially and as the function performed. For example, draw a line from point X1, Y1 to X2, Y2"* (column 26, lines 27-31).

Moran discloses a playback selecting device in Figure 3 at reference signs 304 and 305 (shown as *"Set Play State to Play"* and *"Set Play State to Stop"*). Moran further describes the playback selection device as: *"Referring to FIG. 16, the user sees a word in the LiveBoard Window 1601 and wants to replay the conversation when this word was written. The user selects the word 1602 "redundancy" utilizing a suitable selection technique (here by circling the word with a gesture using the pen/mouse)"* (column 27, lines 19-23). As is well known in the art, a mouse is equipped with a switch, which is commonly known as a mouse button.

Moran discloses a coordinate data detecting device. Moran recites: *"primitive operations performed and each primitive operation is time stamped and associated with an object. The object is typically defined spatially and as the function performed. For example, draw a line from point X1, Y1 to X2, Y2"* (column 26, lines 27-31). Moran discloses associating the coordinate data with time as shown in Figure 11 at reference sign 1111 (shown as *"Audio"* and *"Notes"*).

Moran discloses a writing unit storing device in Figure 1 at reference sign 103 (shown *"Session Storing Device"*), which receives audio signals from the *"Capture Device"* (reference sign 102A). Moran defines the capture device as: *"Capture Devices are devices which capture and store temporal data. Different types of capture devices will capture different media (e.g. audio, video or writing on a whiteboard) of a session"* (column 6, lines 35-38). Moran discloses the association of the sound data to time data in Figure 11 at reference sign 1111, where the input time is shown at reference sign 1106.

Moran discloses a data playback device in Figure 3 at reference signs 304 and 305 (shown as *"Set Play State to Play"* and *"Set Play State to Stop"*). Moran further describes the playback selection device as: *"Referring to FIG. 16, the user sees a word in the LiveBoard Window 1601 and wants to replay the conversation when this word was written. The user selects the word 1602 "redundancy" utilizing a suitable selection technique (here by circling the word with a gesture using the pen/mouse)"* (column 27, lines 19-23).

10. **Regarding dependent claim 2**, Moran discloses a playback determination device that determines a correspondence between the sound data and the writing data in Figure 11 at reference sign 1111, where the timeline in the figure indicates the correspondence between the sound data (shown as *"Audio – Adam"*) and the writing data (shown as *"Notes – Adam"*).
11. **Regarding dependent claim 3**, Moran discloses a sound and writing data storing device that stores the sound and writing data in association to the time data in Figure 1 at reference sign 103 (shown as a *"Session Storage Device"*), where the sound and writing data along with the timing data are shown at reference signs 102A (shown as *"Capture Device"*) and 107 (shown as *"Time Stream/ Events"*).
12. **Regarding dependent claim 4**, the claim is rejected for fully incorporating the deficiencies of the base claims.
13. **Regarding independent claims 5 and 12**, the claims contain substantially the same subject matter as claim 1, and are rejected using the same rationale.

14. **Regarding dependent claims 6 and 14**, the claims contain substantially the same subject matter as claim 2, and are rejected using the same rationale.
15. **Regarding dependent claims 7 and 13**, the claims contain substantially the same subject matter as claim 3, and are rejected using the same rationale.
16. **Regarding dependent claims 8 and 16**, the claims contain substantially the same subject matter as claim 4, and are rejected using the same rationale.
17. **Regarding dependent claims 9-11**, the claims are rejected for fully incorporating the deficiencies of their base claims.
18. **Regarding dependent claim 15**, the claim is rejected for fully incorporating the deficiencies of the base claims.
19. **Regarding dependent claims 17-19**, the claims contain substantially the same subject matter as claims 9-11, respectively, and are rejected using the same rationale.
20. **Regarding dependent claims 20-22**, the claims are rejected for fully incorporating the deficiencies of their base claims.
21. **Regarding independent claim 23**, the claim is directed toward a storage medium for the apparatus of claim 1, and is rejected using the same rationale.

Conclusion

22. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

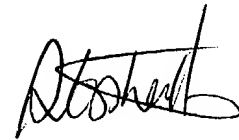
<u>Patent/Publication</u>	<u>Date</u>	<u>Inventor</u>
• US-5,717,869	02-1998	Moran et al.
• US-5,786,814	07-1998	Moran et al.
• US-5,986,655	11-1999	Chiu et al.
• US-6,239,801	05-2001	Chiu et al.
• US-6,332,147	12-2001	Moran et al.
• US-2002/0002562	01-2002	MORAN et al.
• US-6,529,920	03-2003	Arons et al.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (703) 308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
August 18, 2004



STEPHEN S. HONG
PRIMARY EXAMINER